

ORDINANCE NO. 2019-04-026

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE

(Revising Articles II and V to amend definitions and regulations for Day Care Homes and Facilities – Plan Case No. 2370-T-19)

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance to clarify the definitions for Children and Adult Day Care Homes and Day Care Facilities, revise the Home Occupation regulations regarding Day Care Homes, and allow Day Care Facilities as a permitted use in the Business and CRE zoning districts and as a special use in the Campus Commercial District; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2370-T-19; and

WHEREAS, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing; and

WHEREAS, the Plan Commission voted eight ayes to zero nays on March 7, 2019, to forward Plan Case No. 2370-T-19 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

The following provisions of the Urbana Zoning Ordinance are hereby amended and as amended shall read as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference:

- A. Article II, "Definitions," Section II-3, "Definitions."
- B. Article V, "Use Regulations," Section V-12, "Regulation of Home Occupation," and Table V-1, "Table of Uses."

Section 2.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

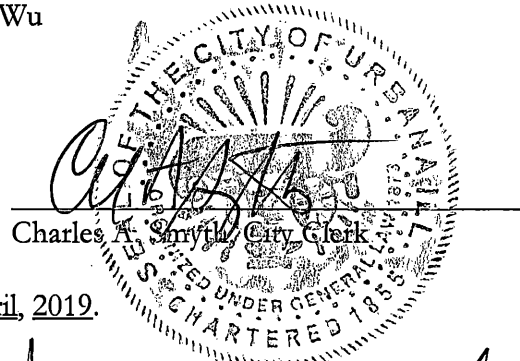
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 15th day of April, 2019.

AYES: Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSTENTIONS:



APPROVED BY THE MAYOR this 17th day of April, 2019.

Diane Wolfe Marlin
 Diane Wolfe Marlin, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 15th day of April, 2019, the City Council of the City of Urbana passed and approved Ordinance No. 2019-04-026, entitled:

**AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE
(Revising Articles II and V to amend definitions and regulations for Day Care Homes and Facilities – Plan Case No. 2370-T-19)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2019-04-026 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 17th day of April, 2019, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 17th day of April, 2019.



Charles A. Smyth, City Clerk